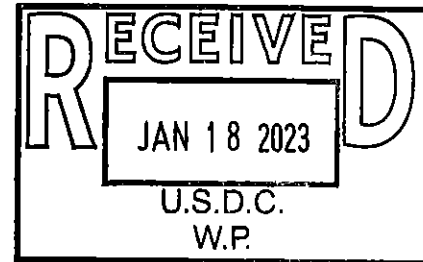


SO ORDERED.


CATHY SEIBEL, U.S.D.J.

CHRISTOPHER MCNAIR
REG. NO. 64664-054
FCI MARIANNA
FEDERAL CORR. INSTITUTION
P.O. BOX 7007
MARIANNA, FL 32447



1/18/23

January 13, 2023

Ms. Ruby J. Krajick
Clerk of Court
U.S. District Court
Southern District of New York
300 Quarropas Street
White Plains, NY 10601-4150

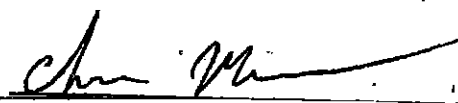
RE: *United States v McNair*
Crim No. 7:10-cr-00392-CS

Dear Ms. Krajick:

Enclosed please find and accept for filing Movant's First Motion for Extension of Time to File Notice of Appeal. Please submit this motion to the Court.

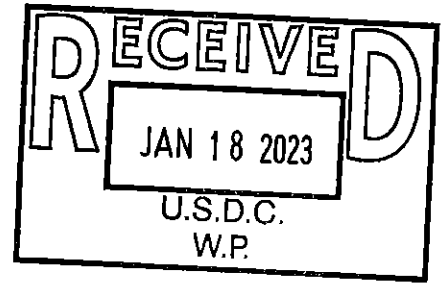
Thank you for your assistance in this matter.

Sincerely,


Christopher McNair
Appearing *Pro Se*

Encl. as noted

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK



-----X
UNITED STATES OF AMERICA

v.

Criminal No. 7:10-cr-00392-CS

CHRISTOPHER MCNAIR
-----X

FIRST MOTION FOR EXTENSION OF TIME TO FILE NOTICE OF APPEAL

COMES Defendant, CHRISTOPHER MCNAIR (“McNair”), appearing *pro se*, and files his Motion for Extension of Time to File Notice of Appeal, and would show as follows:

PRELIMINARY STATEMENT

As a preliminary matter, McNair respectfully requests that this Court be mindful that “[T]he filings of a federal habeas petitioner who is proceeding *pro se* are entitled to the benefit of liberal construction.” *Tracy v. Freshwater*, 623 F.3d 90 (2nd Cir. 2010); *Estelle v. Gamble*, 429 U.S. 97 (1976)(same); *Haines v. Kerner*, 404 U.S. 519 (1972).

REASON FOR EXTENSION


On December 27, 2022, the Court issued a text Order [Doc. 1312] denying Defendant McNair’ motion that the Court interpreted as Defendant’s Renewed Motion for Reduction of Sentence Under 18 U.S.C. § 3582. However, McNair did not hear about the Court’s text Order until January 11, 2023, which was past the fourteen (14) day filing period for a notice of appeal. As such, McNair is filing this motion for an extension of time to file his notice of appeal time. He is also filing contemporaneously with this motion his notice of appeal. Further, his Application to Proceed In District Court Without Prepaying Fees or Costs. will also be forthcoming as soon as his counselor

accesses and verifies his Inmate Trust account.

WHEREFORE, premise considered, McNair prays that the Court grant this motion and extend his deadline for filing his notice of appeal when the Court receives same with this motion.

Respectfully submitted,

Dated: January 13, 2023


CHRISTOPHER MCNAIR
REG. NO. 64664-054
FCI MARIANNA
FEDERAL CORR. INSTITUTION
P.O. BOX 7007
MARIANNA, FL 32447



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CHRISTOPHER MCNAIR
REG. NO. 64664-054
FCI MARIANNA
FEDERAL CORR. INSTITUTION
P.O. BOX 7007
MARIANNA, FL 32447

TO:

Ms. Ruby J. Krajick
Clerk of Court
U.S. District Court
Southern District of New York
300 Quarropas Street
White Plains, NY 10601-4150

